

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

JESSIE JAMES ROSE

PLAINTIFF

v.

Civil No. 05-1089

Civil No. 05-1096

Civil No. 05-1107

J. SMITH, Jailer; HIGHT  
MONROE, Jailer; DEPUTY  
LEROY MARTIN; PAULA  
MANESS, Nurse; J. HAYES;  
TODD DEW; and ROBERT  
GORUM, Chief of Police

DEFENDANTS

**JUDGMENT**

On November 28, 2006, an order was entered directing the plaintiff to complete, sign, and return an attached questionnaire (Doc. 35). The questionnaire response was to serve as the plaintiff's response to the summary judgment motion (Doc. 25) filed by defendants J. Smith, Hight Monroe, Deputy Martin, and Paula Maness (the Columbia County defendants). Plaintiff was directed to file his response to the questionnaire on or before December 22, 2006.

On January 3, 2007, the Columbia County defendants filed a motion to dismiss (Doc. 36). In the motion to dismiss, defendants note the plaintiff failed to respond to the court's order (Doc. 35) and did not file any type of response to their summary judgment motion (Doc. 25). Defendants ask that the case be dismissed pursuant to the provisions of Rule 41(b) based on plaintiff's failure to obey an order of the court and his failure to prosecute this action.

The plaintiff has not requested an extension of time to respond to the court's order (Doc. 35). The court's order and attached questionnaire were not returned as undeliverable. The order was mailed to the same address as other documents sent by the court. Plaintiff has not

communicated with the court since he advised the court of a change of address in November.

The defendants' motion to dismiss (Doc. 36) is granted. This case is dismissed with prejudice based on the plaintiff's failure to obey an order of the court and his failure to prosecute this action. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED this 22nd day of January 2007.

/s/ Harry F. Barnes  
UNITED STATES DISTRICT JUDGE